

## REMARKS

Claims 1, 3, 5, 7-11, 13-15, 17-19, 41, 43, and 45-53 are now pending in this application. Claims 1, 3, 5, 7, 11, 13, 14, 41, 43 and 45 have been amended. Claims 2, 4, 6, 12, 16, 20-40, 42, 44 and 54 have been canceled without prejudice to or disclaimer of the subject matter contained therein.

### 35 USC 112 Rejection

Claim 35 was rejected under 37 USC 112 for a minor antecedent basis problem. The Applicants respectfully submit that this rejection is now moot in view of the cancellation of claim 35.

### Prior Art Rejections

Claims 1, 2, 4-7, 16-21, 23-26, 36-45, 50-52 & 54 have been rejected under 35 U.S.C. 102(b) as being anticipated by the Fraunhofer reference submitted in an IDS and discussed in the present application (hereinafter, "Fraunhofer"). Claims 3 & 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fraunhofer. Claims 8-14, 27-33, 46-49 & 53 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fraunhofer in view of U.S. Patent Number 6,760,635 (Bates et al.) Claims 15 and 34-35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fraunhofer in view of U.S. Patent Number 6,591,118 (Han) The Applicants respectfully traverse the prior art rejections based on at least the following remarks.

The Fraunhofer reference discloses performing an automatic identification/recognition of audio data based on a database of registered works and delivering the required information (that is, title or name of the artist) in real-time. Fraunhofer's system performs an automatic identification/recognition of audio data based on a database of registered works and delivers the required information (that is, title or name of the artist) in real-time. Identification relies on a published, open feature format.

Although Fraunhofer does disclose performing an identification/recognition of audio data, Fraunhofer discloses delivering a title or a name of an artist. None of the references disclose or suggest at least features of the present invention as claimed of selecting content for presentation to a user, where the content selected for presentation to a user is at least one of a music video, pictures, images, graphics, multimedia, a virtual DJ, a musical score, a moving toy, a stuffed animal, a robot, a computer desktop, and a computer screensaver. This is entirely different than selecting a title or a name of an artist. Therefore, the Applicants respectfully traverse the prior art rejections for at least these reasons.

Therefore, for at least these reasons, the Applicants respectfully traverse the prior art rejections. Withdrawal of these rejections is respectfully requested.

The Applicants respectfully request further prosecution on the merits for this application. The Applicants believe that this application is in condition for allowance,

and early notification of the same is earnestly solicited. If there are any questions regarding the present application, the Examiner is invited to contact the undersigned attorney via telephone at 815-885-1390 or via email at rob@intel.com.

Respectfully submitted,

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Date

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